

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 14, 2005. Claims 42 and 44 to 50 are in the application, with Claims 42, 49, and 50 being independent. Claims 42, 46, 49, and 50 have been amended herein. Reconsideration and further examination are respectfully requested.

Claim 46 was rejected under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed, and is submitted to have been obviated by the amendment made to Claim 46.

Claims 42, 44 to 48, and 50 were rejected for obviousness-type double patenting over Claims 1 to 53 of U.S. Patent No. 6,649,824 (Den) in view of U.S. Patent No. 4,190,950 (Skotheim). Claim 49 was rejected for obviousness-type double patenting over Claims 1 to 53 of Den in view of Skotheim, and further in view of U.S. Patent No. 3,925,212 (Tchernev) and U.S. Patent No. 5,346,785 (Akuto). The rejections are respectfully traversed.

Claims 42, 49, and 50 recite (a) the light absorption region is for photoelectric conversion, in combination with (b) the light absorption region is a semiconductor.

Claims 1 to 53 of Den, Skotheim, Akuto, and Tchernev, either alone or in combination, are not seen to teach or suggest at least the foregoing combination of features.

Relying on Skotheim, the Office Action states that it would have been obvious to prepare the device claimed in Den as a stacked device with the semiconductor acicular crystal layer of a middle cell acting as a light absorption region. However, the Office Action does not demonstrate that the semiconductor acicular crystal layer would perform the function of photoelectric conversion. In fact, the Office Action acknowledges

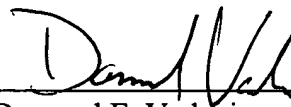
that the semiconductor acicular crystal layer might absorb only a relatively small amount of light. See page 4, lines 7 to 9 of the Office Action.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that the application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Damond E. Vadnais
Attorney for Applicants
Registration No.: 52,310

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200